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Committee on the Elimination of Discrimination against Women
Fifty-eighth session

Summary record (partial)* of the 1234th meeting
Held at the Palais des Nations, Geneva, on Friday, 11 July 2014, at 3 p.m.

Chairperson: Ms. Patten (Vice-Chairperson)

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* No summary record was prepared for the rest of the meeting.

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In the absence of Ms. Ameline, Ms. Patten (Vice-Chairperson), took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined initial and second to fifth periodic reports of the Central African Republic (continued) (CEDAW/C/CAF/1-5; CEDAW/C/CAF/Q/1-5 and Add.1)

1. *At the invitation of the Chairperson, the delegation of the Central African Republic took places at the Committee table.*

Articles 1 to 6 (continued)

2. **Ms. Ramadan** (Central African Republic) said that female genital mutilation continued to be practised in parts of the country despite a law against it dating back to 1966. However, the prevalence rate had been steadily falling, from 43 per cent in 1995 to some 28 per cent according to a recent survey, owing to effective campaigns to raise awareness of the dangers of the harmful practice, especially among practitioners.

3. **Ms. Gabr** asked whether the Government intended to adopt national legislation to combat trafficking in persons, in particular women and children. She wished to know how the Government planned to better enforce the relevant provisions of the Criminal Code and the Labour Code and to cooperate with neighbouring countries in that domain. She suggested that the Government should also consider how best to assist and rehabilitate victims of trafficking.

4. **Ms. Leinarte**, while commending the State party for not punishing women who engaged in prostitution, suggested that the Government should combat negative cultural norms, such as the stigmatisation of widows, in order to prevent women from being forced to turn to prostitution. She asked whether any recent studies had been carried out regarding sex tourism and, if so, what its findings had been.

5. **Mr. Bangayassi** (Central African Republic) said that, to the Government's knowledge, there was no trafficking in persons; however, given that part of the country was currently not under Government authority, it was possible that that there were unreported cases of trafficking. Procurement was an offence under the law and the National Committee to Curb Traditional Practices Harmful to the Health of Women and Girls and Violence against Women had been tackling the issue of prostitution, although it was currently inactive because of the conflict. His Government cooperated with neighbouring countries in a number of areas, including within the framework of the International Conference on the Great Lakes Region.

6. **Ms. Gabr** said that she took issue with the delegation's assertion that trafficking did not exist in the State party, which was contradicted by reports by reliable international organizations that described cases of human trafficking in detail as well as forced marriage and forced labour.

Articles 7 to 9

7. **Ms. Pires**, highlighting the fact that the State party was the first French-speaking country to elect a female President, commended it on its efforts to involve women in public and political life. Nevertheless, she asked how the Government intended to guarantee women's participation in decision-making, including in peacebuilding and reconstruction processes. In the light of the ongoing violence and insecurity, she wished to know how the Government would foster a culture of democracy that allowed for peaceful opposition. She enquired about any measures planned for strengthening women's management and

leadership capacity. She urged the transitional Government to use the upcoming elections to introduce both quotas for women candidates and sanctions against political parties that failed to meet them.

8. **Ms. Ramadan** (Central African Republic) said that a bill on gender equality was under consideration by the Government and would soon be submitted to the transitional parliament and that her delegation would look into the possibility of incorporating quotas for women in parliament into the final draft.

9. **Ms. Haidar** commended the State party for giving women the right to transmit their nationality to their children; however, in future, it should consider authorizing them to transmit it to their foreign spouses as well. In the light of the conflict, she asked what measures were being taken to ensure that consular services were available for children born outside the country, how children born as a result of rape were treated in respect of nationality and what measures were in place to guarantee that those who were forced to flee to neighbouring countries were able to keep, renew and use their identity and travel documents and return to the country if they wished.

10. **Mr. Mamadou** (Central African Republic) stressed that persons who fled to other countries were no longer the responsibility of the Government, but that of their host countries and humanitarian organizations. As in many countries, the mere fact of marriage and cohabitation did not automatically confer Central African nationality on foreign spouses; they were entitled to naturalization, but only after a given period and if they fulfilled certain requirements.

11. **Mr. Samba** (Central African Republic) emphasized that, although the delegation took note of the Committee's recommendations, the situation on the ground made it difficult for Central African missions abroad to assist nationals who had fled the conflict. Given that many civil registry offices had been destroyed, it was also difficult to provide internally displaced persons with identity documents. He appealed to the international community for technical assistance.

12. **Ms. Ramadan** (Central African Republic) said that the United Nations Children's Fund (UNICEF) had recently set up a birth registration programme. Regarding children born as a result of rape, she said that awareness-raising campaigns had been carried out to prevent the stigmatization and shunning of mothers and their children.

Articles 10 to 14

13. **Ms. Bailey**, noting the devastating effect of the conflict and ongoing insecurity on education infrastructure and school attendance, asked how the Transitional Government intended to finance the reconstruction of schools; how long it would be before the education system was operational again, at least at the basic level; what strategies were being considered to encourage students and teachers to return to school; how the shortage of teachers would be addressed; how teachers would be prepared for dealing with their own emotional scars as well as those of their students; how the security issue would be tackled; how prevalent sexual violence was in schools and how it was handled; and whether displaced children living in camps continued to receive an education.

14. **Mr. Samba** (Central African Republic) said that education could not be adequately addressed without first rebuilding a fully functioning State. While his delegation was compelled to admit that it did not have immediate solutions to many of the issues raised by the Committee, its questions would serve as an impetus to dealing with the systemic difficult problems facing the country.

15. **Mr. Mamadou** (Central African Republic) said that a prevailing climate of fear continued to prevent children from returning to school and that most schools had been

pillaged and burnt down. The Government lacked the wherewithal to ensure that all children attended school. Recreational activities were organized for children living in the camps to help them to get over the trauma caused by conflict and displacement but no formal schooling was provided.

16. The country was also affected by a severe shortage of qualified teachers and health workers, as most of those who had been in areas outside the capital had had to flee for their lives. The Government had offered considerable financial incentives to health workers to return to areas that they had once fled. However, those incentives fell far short of expectations, as the workers continued to fear for their lives.

17. **Ms. Bailey**, while recognizing the complexity of the situation, said that the Government had an obligation to ensure education for all. Furthermore, it was impossible to rebuild the country without an educated workforce. The State party must begin devising a recovery strategy. The introduction of a private, fee-paying school system would immediately discriminate against poorer people and the creation of a two-tier system should be avoided.

18. **Ms. Pomeranzi** asked whether the Government was working with its international partners under the emergency programme to organize education and health care in camps for internally displaced persons.

19. **Mr. Bangayassi** (Central African Republic) said that the current situation affected not just education but all State sectors. Education was a Government priority but what was needed first and foremost was peace and security. Security was most problematic in provincial schools; some teachers had been killed and many others had fled to Bangui.

20. **Mr. Mamadou** (Central African Republic) said that the State party was working with various international partners to prepare the transition from the emergency phase to early recovery. However, it was very difficult to predict when recovery would be possible since the situation was so volatile.

21. **Ms. Haidar**, returning to the issue of nationality, emphasized that statelessness made people very vulnerable. Recognizing that the State party was facing immense challenges, she expressed concern that the Government did not have the means to implement the necessary recovery measures and that prevailing institutional chaos made it very difficult to draw up useful recommendations. How could the country work with the international community to take control of its destiny?

22. **Mr. Samba** (Central African Republic) said that the State party had received less than a third of the financial assistance that it had requested from the international community, which had an obligation to help under Security Council resolution 2127 (2013). Nevertheless, the Government had a responsibility to initiate recovery projects, despite the lack of resources. With regard to nationality, he said that not all marriages and births were registered and that a strategy should be drawn up to address the issue.

23. **Mr. Bruun** asked what the Government could do once the situation had improved to enable women to contribute actively to the economy. Had it approached the International Labour Organization (ILO) to arrange technical assistance? He asked whether judges were currently receiving wages, which was crucial in order for the State to function properly.

24. **Mr. Samba** (Central African Republic) said that the employment issue did not relate to gender equality but to a general shortage of jobs and a lack of resources to create opportunities. The State party had approached ILO and an official request for technical assistance would be submitted. It had received subsidies to help to cover salaries in the immediate future, but those funds would only last until September or October. Without salaries, people would not be able to support their families or send their children to school, which would create a new crisis.

25. **Mr. Mamadou** (Central African Republic) said that, like all civil servants, judges were currently being paid on a quarterly basis. University lecturers in Bangui had recently held an eight-day strike; if it was prolonged, it could have a domino effect and spread to other sectors, which would be catastrophic. Meanwhile, the Government had to be able to ensure its core financial and security functions.

26. **Ms. Nwankwo** asked whether, if it was able to increase its budgetary resources, the Government would address the current health-care crisis. Given the extremely limited access to services, priority should be given to ensuring life-saving heath care. She asked whether abortion was legal in cases where the woman's life was in danger, the pregnancy had resulted from rape or incest or there was likelihood of serious birth defects. A 2011 report by the United Nations Population Fund (UNFPA) had included alarming statistics on the country's rate of maternal mortality, the causes of which included unsafe abortions, limited prenatal and postnatal care and poor hospital conditions. What could the Government do to restore women's access to reproductive health-care facilities, particularly in rural areas? What was it doing to address the HIV/AIDS epidemic, in particular mother-to-child transmission? Lastly, were there plans to cooperate with the media to address the issue of irresponsible sexual behaviour?

27. **Mr. Samba** (Central African Republic) said that, under the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, States had an obligation to allocate at least 15 per cent of their national budgets to public health. In the current situation that was simply not possible. While some deaths occurred as a result of clandestine abortions, malaria was a much greater killer of mothers and children.

28. **Mr. Djada** (Central African Republic) said that the national health policy had yielded positive results and ensured that trained health professionals were present in all areas. Those professionals, along with the Association Centrafricaine pour le Bien-Être Familial, worked to raise awareness about family planning. Abortion was not legal but termination of pregnancy for medical reasons could be authorized by doctors. While there were no exact figures relating to clandestine abortions, the practice was becoming more common among young women, owing to economic constraints and irresponsible sexual behaviour. The Government was working with non-governmental organizations to address that issue, but it was currently only possible to carry out needs assessments.

29. **Mr. Bangayassi** (Central African Republic) said that termination of pregnancy for medical reasons was permitted to save the life of the woman, including in cases of foetal impairment or problems involving rape. Cases of termination of pregnancy involving rape, however, must come before the courts and be approved by a panel of doctors before an abortion could be performed. The major causes of maternal mortality included distances to hospitals, a lack of motivation on the part of unpaid hospital staff and a shortage of proper equipment. The Government had worked with various international organizations to develop a plan for reducing the maternal mortality rate, which must be duly implemented.

30. **Mr. Mamadou** (Central African Republic) said that the institutional crisis had meant that funds set aside for health could not be paid out. Thankfully, the international community had helped establish public health programmes. At the national level there was a programme for the prevention of parent-to-child HIV transmission. Centres had been established to supply antiretroviral drugs and contraceptives, but the crisis had prevented people from accessing those centres. Some patients had become resistant to the drugs owing to the interruption in treatment.

31. **Ms. Pomeranzi** wished to know whether the State party intended to do anything to recognize the economic role of women in the informal sector. The current situation was out of the ordinary, but it also created an opportunity to start anew – that is, to show more concern for the economic rights of women. She thus wished to know whether the

authorities were prepared to negotiate for the economic empowerment of women in the post-conflict rehabilitation phase and whether there were any plans to implement any social-welfare programmes meant especially for women.

32. **Mr. Djada** (Central African Republic) said that 80 per cent of the State party's population was employed in the agricultural sector and that women played an essential role, as it was they who travelled to buy and sell goods. In addition, most of the clients of microfinance institutions were women, and the small loans they were awarded enabled them to play an important role in the retail trade, especially in the informal sector. The authorities had debated at considerable length the issue of whether those who worked in the agricultural sector could benefit from social security, but instituting such a system posed the problem of collecting contributions. In short, the idea had been considered, but there were not yet any results. Two projects were under way to help women in the districts of Bangui most heavily affected by the conflict; the aim was eventually to duplicate the experience in the cities of the interior. One project, run in conjunction with the International Committee of African Women for Development (CIFAD), had successfully set up funds to finance a number of projects. Regrettably, the conflict had broken out and armed groups had seized everything.

33. It was perhaps necessary to look into the extent to which it would be possible to encourage greater lending to women, enabling them to generate income and expand their businesses. The women of the Central African Republic were a great resource. But for their efforts, often involving travel to Cameroon, the country's markets would have been empty.

34. **Ms. Gabr** said that the large share of agricultural goods produced by women required State support. If rural women did not receive sufficient support, the county would be likely to suffer a food crisis. The outbreak of the conflict had worsened the already difficult situation of rural women, and in view of the threat of hunger she wished to know what the State party intended to do to facilitate women's return to the fields. She also wished to know how the State party planned to focus development on rural areas and how it viewed the participation of women in decision-making in rural areas.

35. **Ms. Leinarte** said that given the near-total destruction or abandonment of the country's prisons, she would welcome comments on the situation of female detainees, a particularly disadvantaged group. In that connection, she wished to know how many women were currently in detention and whether female prisoners had female guards. Currently being drafted was a bill on protecting indigenous peoples from slavery. What provisions to protect female pygmies, another disadvantaged group of women, would it include? Pygmies, especially children, were exploited for slave labour, and mainstream society evidently had highly negative views of that population group. She thus wished to know what measures the Government had taken to combat those views and promote greater integration of pygmies.

36. **Mr. Bangayassi** (Central African Republic) said that all crops and stores of seed had been destroyed and that most people had abandoned their homes and taken refuge in the bush. For rural women to be able to produce, peace and security had to be restored. Indeed, if peace and security were not restored in six months to one year, there would be a food crisis. One project that had been drawn up with the support of the UNFPA and would have offered women training, including agricultural training, had had to be shelved when the conflict broke out. On decision-making, a study done in partnership with the World Bank showed that women participated heavily in village- and town-level decision-making in Bossangoa, in the prefecture of Ouham, whereas in Yaloké they were largely ignored by decision-making bodies at all levels. The reason for the disparity was that in Ouham a good deal of awareness-raising regarding gender issues had been done. It was also because of such disparities that the Government had set up a department to deal with gender issues. In

rural areas there was still much work to be done for people to understand that women, too, had contributions to make to the development of the country.

37. **Ms. Ramadan** (Central African Republic) added that the Government had a road map for a way out of the crisis. Economic recovery, which involved revitalization of the primary sector, was one of the major components of the map, and it was for that reason that the Food and Agriculture Organization (FAO) was supporting two government projects that were distributing seeds and farming equipment to nearly 500 women's groups.

38. **Mr. Djada** (Central African Republic) said that considerable work was being done in spite of the crisis. A large part of the region, for instance, was covered by a project financed by the International Fund for Agricultural Development (IFAD). Women had been given special consideration, and as a result seeds and the means of production had been made available to them under the project. Women had also been provided with so-called multifunctional platforms in 11 communes, but the conflict had put a stop to everything. At the moment, the Government was negotiating with the African Development Bank, which was the financial partner, and it was likely that the implementation of the project would be under way again shortly.

39. Turning to the alleged exploitation of pygmy children, he said that some years earlier such children had indeed been enslaved but that considerable progress had been made, especially since the country had ratified the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989, (No. 169). There was even a pressure group that worked on behalf of minorities, including the Fulani and pygmy communities. Pygmies could no longer be asked to work without pay, their children were in school, and there was even a special school to help them to integrate, although it was true that some parents had not understood the necessity of sending their children to school. One member of the pygmy community, a young woman, was studying at university.

40. **Mr. Mamadou** added that the Fulani were more likely to have attended school than pygmies, who were now referred to as indigenous peoples, as "pygmy" was becoming slightly pejorative. A minister in the last Government was a member of the Fulani community.

41. **Ms. Gabr** recalled that the participation of rural women in the development of their villages required political will, not financial resources, and asked how the Government planned to encourage it.

42. **Mr. Djada** (Central African Republic) said that the Government was closely monitoring the involvement of women in decision-making in rural areas, and what could be seen was that villages and neighbourhoods were increasingly likely to be headed by women. The Government also ensured that if the mayor of a commune was a man, the members of the communal council had to be women. In the Central African Republic, the commune was the major local administrative unit, and the women involved with the women's groups were represented on the communal council, where they took part in decision-making.

Articles 15 and 16

43. **Ms. Halperin-Kaddari** emphasized that the plight of women and girls was worsened by discriminatory legislation that legitimized violations of their rights, including the right to physical integrity, as was the case, for example, with child marriages. The Family Code of the State party might well have set the minimum age for marriage at 18, but it also allowed for several exceptions, and reliable sources had indicated that nearly 30 per cent of women had married before the age of 15. There had also been reports that girls were being forced to marry Séléka irregulars. She thus wished to know what measures the Government had taken to address the forced marriages of girls to members of the rebel

coalition and what plans had been made to train law-enforcement officials, including judges and lawyers, so that they were aware of the issues involving child marriages and capable of dealing with them.

44. She added that she found the initial response to questions about polygamy, bride prices and the status of the man as the head of the family discouraging. It was true that change could not occur overnight, but it was crucial for the Government to acknowledge discriminatory laws and practices. In its concluding observations and in general recommendations Nos. 21 and 29 the Committee had stated that those practices were violations of the Convention and should be abolished. The State party itself had acknowledged that bride prices reflected a woman's market value, and the man who paid a large amount for his wife viewed her as his property. The State party had also acknowledged that opting for polygamy was the prerogative of the husband alone; the wife's opinion was disregarded. She thus wished to know whether the Government had acknowledged that such customs were violations of women's rights and what it was planning to do to abolish them. Lastly, she wished to know whether women in informal unions, an apparently widespread phenomenon, were entitled by law to any economic safeguards, as women in formal marriages were.

45. **Mr. Samba** (Central African Republic) emphasized that there was no law obliging men to be polygamous. They were allowed, however, to take up to four wives. Bride prices, for their part, were not always viewed positively. Some people considered asking for a bride price akin to selling off their daughters. Others considered it their duty. The people of the Central African Republic were divided over the issue. Polygamy and bride prices had to been seen not from the perspective of discrimination but from that of the culture of the country. They were customs that would die out on their own; it was of little use to ask the Government of the Central Africa Republic to tell the people of the country that their customs were discriminatory and had to be done away with. Just as it had taken France years to give women the vote, it would take the Central African Republic time to deal with practices that were not discriminatory, although they struck the Committee as such.

46. Regarding couples living together in informal unions, he said that the Central African Republic had inherited the Napoleonic Code and that if a couple living as man and wife separated the law provided for the division of property to which each party was entitled. Laws governing succession were much the same as in countries considered civilized. What set the Central African Republic apart was the prevalence of polygamy and bride prices. Like polygamy, paying a bride price was not compulsory. Culturally, however, such payments highlighted a suitor's worth. They were not discriminatory.

47. **Ms. Ramadan** (Central African Republic) added that bride prices and polygamy were questions of culture. An anthropological survey taken as part of the elaboration of the current Family Code showed that women in rural areas were in favour of polygamy simply because farm work was so hard that it was only with the help of fellow women that they managed to get it done. Urban women, on the other hand, opposed polygamy. For rural women, polygamy had little to do with matters of the heart; it enabled them to increase production and their numbers helped them to assert their views. Men who wished to take more than one wife were allowed to do so, and it was for them to decide whether they were better off with multiple wives. That was not always an easy decision, as there was never any peace and quiet in a polygamous household. For many men, it was hard enough to cope with one wife, let alone two. Some, however, had large fields and needed the labour of two or three persons.

48. Turning to the issue of bride prices, she said that in the past, in the event of divorce, the sums disbursed had to be returned; now, however, the survey had shown that bride prices were paid to compensate a bride's parents for the loss of their daughter. Bride prices

were symbolic gifts that were no longer returned in the event of divorce and in no way did they turn girls into articles of commerce.

49. The forced marriages of girls were indeed considered a harmful practice. Regrettably, despite the work of the Government and non-governmental organizations, members of the Muslim community sought to marry off their daughters at an early age. The authorities were making efforts to combat child marriages, but changing mindsets was a long-term undertaking, and the task had been greatly complicated by the arrival of Séléka forces, many of whose Muslim commanders had taken child brides.

50. **Mr. Mamadou** (Central African Republic) added that when the bride and groom appeared at the civil registry office before the mayor, the groom would be asked whether he wished to opt for polygamy or monogamy. Regrettably, the bride was not asked for her opinion.

51. In Muslim communities the age of majority was not 18. It was 12. From a modern Western perspective, that age could appear shockingly young, but in some cultures, for reasons often having to do with religious traditions, age 12 was more than enough.

52. **Ms. Haidar** said that she understood that polygamy was an option available to men of all communities, not just Muslims, and that it was just as well that it was optional, as she was not entirely sure what requiring a man to take more than one wife would lead to. In that connection, she wished to know whether a similar situation obtained regarding child marriages – that is, if polygamy was practiced in communities other than Muslim ones, could the same be said of child marriages? Did the law regarding the age of majority apply to non-Muslim communities?

53. **Ms. Gabr** recalling that the Central African Republic had ratified the Convention on the Rights of the Child, for which a child was any person below the age of 18, said that it had not entered a reservation on grounds that it was incompatible with the traditions of the Muslim communities living in the country. Nearly every Muslim country had ratified the Convention on the Rights of the Child, and although in some of those countries dispensations were available for marriages of girls as young as 16, it was unthinkable that 12-year-old girls could be legally married.

54. **Mr. Djada** (Central African Republic) said that he understood that child marriage was a more common phenomenon in the predominantly Muslim areas of the country. It was not widespread in other areas, and the marriage of a 12-year-old girl would never be legitimized by a civil registry official. Outside the law, however, such marriages did take place, and although it would not be easy, the authorities were confident that the practice would eventually be done away with.

55. **The Chairperson** thanked the delegation for the information that it had provided and expressed the hope that, given the President's reaffirmation of her belief in dialogue, reconciliation and justice, the Central African Republic could achieve lasting peace.

The discussion covered in the summary record ended 5.20 p.m.